

REMARKS/ARGUMENTS

In response to the Examiner's first Office Action of October 19, 2006 the Applicant respectfully submits the accompanying Amendment to the claims and the below Remarks.

Regarding Amendment

In the Amendment:
independent claim 1 is amended to specify that the method includes the step of depositing and etching a layer of actuator material to define an ejection actuator and a refill actuator for each nozzle chamber. Support for this amendment can be found at page 5, line 12-page 6, line 2 of the present specification;
dependent claim 3 is amended to conform with amended claim 1; and
dependent claim 2 is unchanged.

It is respectfully submitted that the above amendments do not add new matter to the present application.

Regarding 35 USC 102(b) Rejections

It is respectfully submitted that the subject matter of amended independent claim 1 is not disclosed by Waggener et al. (US 4,733,823), based at least on the Examiner's admission in the 35 USC 103(a) rejections, that Waggener "fails to disclose an actuator".

Regarding 35 USC 103(a) Rejections

It is respectfully submitted that the subject matter of dependent claims 2 and 3 is not taught or suggested by Waggener in view of Shimada et al. (US 5,802,686), because Shimada merely discloses a piezoelectric elements for ejecting ink from the nozzles 108 (see col. 3, line 62-col. 4, line 15 of Shimada), not an ejection actuator and a refill actuator as required by amended independent claim 1, from which claims 2 and 3 depend.

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

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